



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 20.12.2019
CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY
AND
THE HONOURABLE MRS.JUSTICE T.RAVINDRAN

W.P. (MD)No.27245 of 2019
and
W.M.P. (MD) .No.23533 of 2019

V.Velayutham ... Petitioner
Vs.

1.The Chief Election Commissioner,
Indian Election Commission,
Ashok Road, New Delhi.

2.The State Election Commissioner,
State Election Commission,
Arumbakkam, Chennai.

3.The District Election Officer,
Theni District, Theni.

4.The Election Officer,
Andipatti Panchayat Union,
Andipatti, Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to cancel the election for the post of Chairman, Andipatty Panchayat Union, Theni District in the forthcoming election scheduled to be held on 27.12.2019 and consequently announce the election for the said post under Reserve Category based on the petitioner's representation dated 18.12.2019.

For Petitioner : Mr.T.Selvan

For R2 : Mr.Raja Karthikeyan

For R3 and R4 : Mr.K.Chellapandian,
Additional Advocate General
Assisted by Mr.VR.Shanmuganathan,
Special Government Pleader



O R D E R

(Order of the Court was made by **M.DURAISWAMY, J.**)

The petitioner has filed the above writ petition as a Public Interest Litigation to issue a writ of Mandamus directing the respondents to cancel the election for the post of Chairman, Andipatty Panchayat Union, Theni District, in the forthcoming election scheduled to be held on 27.12.2019 and consequently announce the election for the said post under Reserve Category, based on the petitioner's representation, dated 18.12.2019.

2. Mr.K.Chellapandian, learned Additional Advocate General appearing for the respondents 3 and 4 submitted that based on the total population as well as the population of the Scheduled Caste Community people in that area, the reservations were made in respect of the Local Body Election in Theni District. The learned Additional Advocate General further submitted that the total population of Panchayat Union is one lakh eleven thousand, whereas the population of the Scheduled Caste Community is only thirty thousand and therefore, out of the eight wards, two were reserved for Scheduled Caste Community, three were reserved for women and three were reserved for general category.

3. Since the reservations were made based on the population, we do not find any error or irregularity in the reservations made by the authorities.

4. In such view of the matter, the writ petition is devoid of merits and the same is dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (AD-II)

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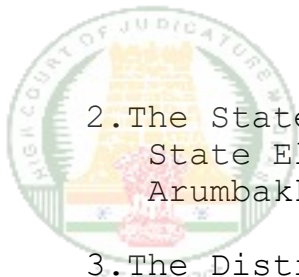
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Sub Assistant Registrar(CS)

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To

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2.The State Election Commissioner,
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Arumbakkam, Chennai.

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Andipatti, Theni District.

+1 CC to Mr.RAJA KARTHIKEYAN, Advocate (SR-106325[F] dated
20/12/2019)

+1 CC to SPL.GP (SR-106508[F] dated 27/12/2019)

W.P. (MD) No.27245 of 2019
20.12.2019

MK (10.01.2020) 3P 7C